



60,130-1004 (96AUT013)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ruppert et al.  
SERIAL NO.: 09/781,795  
FILED: February 12, 2001  
ART UNIT: 3618  
EXAMINER: Vanaman, Frank Bennett  
FOR: LOW FLOOR DRIVE UNIT ASSEMBLY FOR AN  
ELECTRICALLY DRIVEN VEHICLE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

Dear Sir:

Appellant submits this Appeal Brief pursuant to the Notice of Appeal filed January 4, 2005. Fees for the Appeal Brief were paid with the filing of the first Appeal Brief on January 22, 2004. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

**REAL PARTY IN INTEREST**

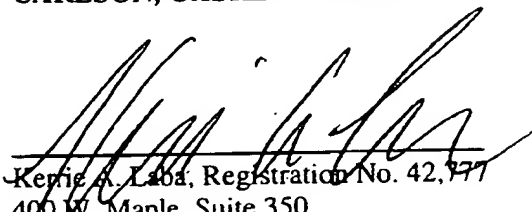
The real party in interest is Meritor Heavy Vehicle Systems, LLC, the assignee of the entire right and interest in this Application.

**CONCLUSION**

For the reasons set forth above, the rejection of all claims is improper and should be reversed. Appellant earnestly requests such an action.

Respectfully submitted,

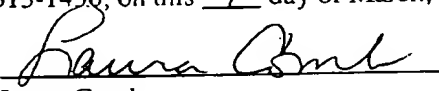
**CARLSON, GASKEY & OLDS**

  
Kerrie A. Loba, Registration No. 42,977  
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Dated: March 1, 2005

**CERTIFICATE OF MAIL**

I hereby certify that the enclosed Appeal Brief is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 1 day of March, 2005.

  
Laura Combs